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FILED

DEC 16 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11
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13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 v.
16 MISAELO SANDOVAL-RODRIGUEZ,
17 Defendant.

CASE NO. 5:05-CR-00162-RMW

**STIPULATION TO CONTINUE
DETENTION HEARING AND [PROPOSED]
ORDER**

DATE: December 16, 2009
TIME: 11:00 a.m.
JUDGE: Hon. Howard R. Lloyd
COURTROOM: 2, 5th Floor

19 The defendant Misael Sandoval-Rodriguez and the United States, by and through their
20 respective counsel, hereby stipulate and agree to continue the detention hearing in the above-
21 captioned matter, presently scheduled for December 16, 2009 at 11:00 a.m., to Wednesday,
22 December 23, 2009 at 11:00 a.m. The continuance is requested to allow the defendant further
23 time to prepare for the detention hearing.

24 The defendant agrees that the period between December 16, 2009 and December 23, 2009
25 shall be excluded from the speedy trial calculation under 18 U.S.C. § 3161(c)(1). Furthermore,
26 the defendant agrees to waive his right to have a detention hearing held within five days under 18
27 U.S.C. § 3142(f)(2).

Accordingly, the parties respectfully request that the Court continue the detention hearing until December 23, 2009 at 11:00 a.m.

Respectfully submitted

Dated: December 15, 2009

By: /s/ Matthew J. Jacobs
Matthew J. Jacobs

Attorney for defendant
MISAELO SANDOVAL-RODRIGUEZ

Dated: December 15, 2009

By: /s/ John N. Glang
John N. Glang

Assistant United States Attorney

[PROPOSED] ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the detention hearing presently set for defendant Misael Sandoval-Rodriguez for December 16, 2009 at 11:00 a.m. is continued until December 23, 2009 at 11:00 a.m. It is further ordered that the time between December 16, 2009 and December 23, 2009 shall be excluded from the speedy trial calculation under 18 U.S.C. § 3161(c)(1).

Dated: 12/16, 2009

Honorable Howard R. Lloyd
United States Magistrate Judge

MPK 159875-1.099744.0086

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